

1 Stephen N. Hollman, Esq., State Bar No. 055219  
 2 Business & Technology Law Group  
 3 160 W. Santa Clara Street, Suite 700  
 4 San Jose, CA 95113  
 5 Telephone: (408) 282-1949  
 6 Facsimile: (408) 275-9930  
 7 E-Mail: shollman@businessandtechnologylawgroup.com

8 Joseph A. Garofolo, Esq., State Bar No. 214614  
 9 Garofolo Law Group, P.C.  
 10 22 Battery Street, Suite 1000  
 11 San Francisco, CA 94111  
 12 Telephone: (415) 981-9775  
 13 Facsimile: (415) 981-8870  
 14 E-Mail: jgarofolo@garofololaw.com

**EXHIBIT**

15 Attorneys for Plaintiffs,  
 16 Keith Charles Knapp, as Trustee of the California Home Loans  
 17 Profit Sharing Plan, and the Trust for the California Home Loans  
 18 Profit Sharing Plan, as a fiduciary of the California Home Loans  
 19 Profit Sharing Plan

20 UNITED STATES DISTRICT COURT  
 21 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 22 SAN JOSE DIVISION

23 KEITH CHARLES KNAPP, as Trustee of  
 24 the California Home Loans Profit Sharing  
 25 Plan; TRUST FOR THE CALIFORNIA  
 26 HOME LOANS PROFIT SHARING PLAN,  
 27 as a fiduciary of the California Home Loans  
 28 Profit Sharing Plan; and THERESE A.  
 LAVOIE, as a participant in the California  
 Home Loans Profit Sharing Plan,

Plaintiffs,

v.

NOREEN CARDINALE, an individual,  
 Defendant.

CASE NO. C 12-05076 RMW

STIPULATION AND CONSENT BY ALL  
 PLAINTIFFS TO THE WITHDRAWAL OF  
 CO-COUNSEL FOR PLAINTIFFS;  
~~PROPOSED~~ ORDER; AND PROOF OF  
 SERVICE

CIV. LOC. RULES, RULE 7-12 AND  
 RULE 11-5(a)

1 NOREEN CARDINALE,

2 Plaintiff,

3 v.

4 DANIEL R. MILLER JR.; PATRICE  
5 MILLER, his spouse; DANIEL R. MILLER  
6 SR.; PASHLIN INC., a California  
7 corporation; DERALD R. KENOYER;  
8 KEITH CHARLES KNAPP; HOME LOAN  
9 SERVICES CORPORATION dba  
10 CALIFORNIA HOME LOANS, a California  
11 Corporation; and DOES 1 through 100,  
12 inclusive

13 Defendants.

) **RELATED CASE NO. C 12-05078 RMW**

) **(Remanded Pursuant to Order Dated**  
) **February 15, 2013)**

14  
15 TO: CO-COUNSEL FOR PLAINTIFFS, JOSEPH A. GAROFOLO; AND TO  
16 DEFENDANT, NOREEN CARDINALE, AND TO HER ATTORNEYS OF RECORD HEREIN:

17 PLEASE TAKE NOTICE THAT as of November 12, 2013 all of the plaintiffs in this  
18 action, Keith Charles Knapp, as Trustee of the California Home Loans Profit Sharing Plan  
19 (hereinafter referred to as the "Plan"), and as Trustee of the Trust for the Plan; and Therese A.  
20 Lavoie, as a participant in the Plan (hereinafter collectively referred to as "All Plaintiffs") stipulate  
21 and consent under Civ. Loc. Rules, Rule 7-12, to this Court that Business & Technology Law  
22 Group and Stephen N. Hollman (hereinafter collectively referred to as "Hollman"), co-counsel for  
23 All Plaintiffs in this action, may withdraw under Civ. Loc. Rules, Rule 11-5(a), as co-counsel of  
24 record in this action for All Plaintiffs, and that Hollman be relieved of all duties and responsibilities  
25 as co-counsel of record in this action for All Plaintiffs, both to be effective as of November 12,  
26 2013.

27 In this instance, the conditional withdrawal provisions set forth in Civ. Loc. Rules, Rule  
28 11-5(b), are inapplicable because All Plaintiffs hereby acknowledge they have, and have  
continuously had, other counsel of record in this action. Thus, the withdrawal by Hollman poses no  
prejudice to All Plaintiffs.

1 A Notice of Motion and Motion to be Relieved as Counsel by Hollman under Cal. Prof.  
 2 Rules of Conduct, Rule 3-700(c), was heard in Department 3 of the Superior Court for the County  
 3 of Contra Costa on October 25, 2013 at 10:00 a.m. on Hollman's Ex Parte Motion to Shorten Time  
 4 for Hearing of an underlying Notice of Motion and Motion to be Relieved as Counsel. There Hon.  
 5 Judith Craddick found that there were good and ample grounds for Hollman to withdraw on the  
 6 underlying Motion, and Plaintiff Knapp herein, the defendant therein, substituted in other counsel  
 7 during such hearing.

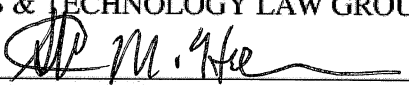
8 For the all of the foregoing reasons and based upon the stipulation and consent of All  
 9 Plaintiffs, *infra.*, under Civ. Loc. Rules, Rule 7-12, Hollman respectfully requests that the Court  
 10 issue an Order permitting the withdrawal of Hollman as co-counsel in this action pursuant to Civ.  
 11 Loc. Rules, Rule 11-5(a), and that Hollman be relieved of all duties and responsibilities as co-  
 12 counsel in this action both to be effective as of November 12, 2013.

13 DATED: November 12, 2013

Respectfully submitted,

BUSINESS & TECHNOLOGY LAW GROUP

By:

  
 Stephen N. Hollman  
 Co-counsel for Keith Charles Knapp, as  
 Trustee of the California Home Loans Profit  
 Sharing Plan; the Trust for the California  
 Home Loans Profit Sharing Plan, as a  
 fiduciary of the California Home Loans  
 Profit Sharing Plan; and Therese A. Lavoie,  
 as a participant in the California Home Loans  
 Profit Sharing Plan

23 **STIPULATION AND CONSENT OF PLAINTIFFS TO WITHDRAWAL OF COUNSEL**

24 1. I, Keith Charles Knapp, am a plaintiff in this action both as Trustee of the  
 25 California Home Loans Profit Sharing Plan and as Trustee of the Trust of the California Home  
 26 Loans Profit Sharing Plan.

27 2. In my two capacities as a Plaintiff in this action, neither I, the California Home Loans  
 28 Profit Sharing Plan, nor the Trust of the California Home Loans Profit Sharing Plan will be prejudiced in

1 any manner by the withdrawal of Business & Technology Law Group and Stephen N. Hollman as co-  
2 counsel in this action because I and the Plan have, and have continuously had, other counsel of  
3 record in this action.


4 3. Therefore, in my two capacities as a Plaintiff in this action and on behalf of the Plan, I  
5 declare under penalty of perjury that I knowingly and freely stipulate and consent to this Court that  
6 Business & Technology Law Group and Stephen N. Hollman may withdraw as co-counsel in this action  
7 effective as of November 12, 2013, and that Business & Technology Law Group and Stephen N.  
8 Hollman be relieved of all duties and responsibilities as co-counsel in this action both to be effective  
9 as of November 12, 2013.

10 IT IS SO STIPULATED BY ME effective as of November 12, 2013.

11 Respectfully submitted,

12 KEITH CHARLES KNAPP

13 By:

  
14 Keith Charles Knapp, aka K.C. Knapp, as  
15 Trustee of the California Home Loans Profit  
16 Sharing Plan, and as Trustee of the Trust for  
the California Home Loans Profit Sharing  
Plan

17 4. I, Therese A. Lavoie, am a plaintiff in this action as a participant in the California  
18 Home Loans Profit Sharing Plan.

19 5. In my capacity as a Plaintiff in this action, I shall not be prejudiced in any manner by the  
20 withdrawal of Business & Technology Law Group and Stephen N. Hollman as co-counsel in this action  
21 because I have, and have continuously had, other counsel of record in this action.

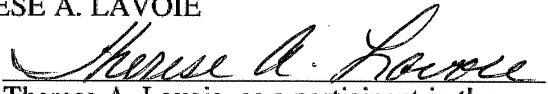
22 6. Therefore, in my capacity as a Plaintiff in this action, I declare under penalty of perjury  
23 that I knowingly and freely stipulate and consent to this Court that Business & Technology Law Group  
24 and Stephen N. Hollman may withdraw as co-counsel in this action effective as of November 12, 2013,  
25 and that Business & Technology Law Group and Stephen N. Hollman be relieved of all duties and  
26 responsibilities as co-counsel in this action both to be effective as of November 12, 2013.

27 IT IS SO STIPULATED BY ME effective as of November 12, 2013.  
28

Respectfully submitted,

THERESE A. LAVOIE

By:


  
Therese A. Lavoie, as a participant in the  
California Home Loans Profit Sharing Plan

~~PROPOSED~~ ORDER

Based upon the stipulation and consent of each of the Plaintiffs, who are all of the affected parties in this action, made under the penalty of perjury, as set forth above, and this Court finding that no prejudice will inure to any of such Plaintiffs,

PURSUANT TO STIPULATION, IT IS SO ORDERED under Civ. Loc. Rules, Rule 7-12 (a) that Business and Technology Law Group and Stephen N. Hollman are hereby permitted pursuant to Civ. Loc. Rules, Rule 11-5(a), to withdraw as co-counsel in this action and Stephen N. Hollman and Business & Technology Law Group are to be relieved of all duties and responsibilities as co-counsel in this action both to be effective as of November 12, 2013.

DATED: November FJ, 2013

  
Hon. Ronald M. Whyte  
Senior United States District Judge